

IN THE SUPREME COURT OF THE STATE OF NEVADA

SMITH'S FOOD AND DRUG CENTERS,  
INC., A DELAWARE CORPORATION,

Appellant,

vs.

BIGGEST LITTLE INVESTMENTS,  
L.P., A DELAWARE LIMITED  
PARTNERSHIP,

Respondent.

No. 44824

**FILED**

MAY 26 2005

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richard*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.<sup>1</sup>

CLERK OF THE SUPREME COURT  
JANETTE M. BLOOM

BY: *Thomas J. Hair*

cc: Second Judicial District Court Dept. 9, District Judge  
Philip A. Olsen, Settlement Judge  
Robison Belaustegui Sharp & Low  
Snell & Wilmer, LLP  
Hale Lane Peek Dennison & Howard/Reno  
Washoe District Court Clerk

<sup>1</sup> Any relief regarding the bond for costs on appeal must be sought in the district court. See NRAP 7.